

Before the Congressional Human Rights Caucus Of the United States House of Representatives

Wednesday, November 16, 2005

Mr. Chairman and Members of the Caucus:

On behalf of the U.S. Commission on International Religious Freedom, I wish to thank you, Mr. Chairman, and the Caucus for inviting me to brief you on behalf of the Commission on the situation of freedom of thought, conscience, and religion or belief in Egypt and our recommendations for U.S. policy. I respectfully request that my written comments be submitted into the congressional record.

Since its inception, the Commission, which is an independent federal agency, has paid serious attention to Egypt, not only because of its importance in the region, but because Egypt is an important ally of the U.S. and the second largest recipient of U.S. aid. Our two governments also work together on key foreign policy issues such as the war on terror and Middle East peace.

Current domestic and international pressure for democratic reform in Egypt has set the stage for the U.S. government to seek an agreement with Egypt on a timetable for implementation of specific political and legal reforms to protect the human rights of all Egyptians. In order to create that foundation on which democracy can be built in Egypt, efforts at political reform must include steps to address serious violations of freedom of religion or belief and other related human rights. I will address what those specific steps should be in a moment.

If benchmarks for political reform are met, then the U.S. government should, within the boundaries of its overall aid to Egypt, provide economic assistance to areas where significant progress has been made. If benchmarks are not met, the U.S. government should reconsider the dimensions and direction of its economic assistance. The U.S. government also should do more to support those indigenous civil society groups in Egypt who are pressing for these or similar objectives.

Current State of Freedom of Thought, Conscience, and Religion or Belief

Mr. Chairman, the Commission traveled to Egypt last year and met with senior Egyptian government officials, as well as prominent religious leaders, human rights activists, women's rights groups, and other civil society leaders. The Commission continues to receive information from a variety of sources and monitors closely the situation on the ground. After a careful review of the current situation, the Commission placed Egypt on its Watch List again this year.

The Commission found that discrimination, intolerance, and other human rights violations affect a broad spectrum of Egyptian society, including: Muslims, Christians, Jews, Baha'is and members of other religious communities. The Egyptian government has adopted measures in recent years to acknowledge certain aspects of the religious pluralism in Egyptian society. Yet more can and should be done by the government to protect the right to freedom of thought, conscience, religion or belief, to punish those responsible for religiously-motivated violence, and to combat widespread and virulent anti-Semitism and other intolerance in the media and in the education system. If these steps are taken, they would demonstrate President Mubarak's commitment to fostering a democratic society that respects human rights.

I would like to highlight three of the most serious issues that the Commission feels deserve immediate attention:

- Societal violence against and lack of protection for Coptic Christians
- Persistent anti-Semitism in the media and education system
- Requirements on national ID cards that discriminate against Baha'is and others

Violent attacks on religious minorities, particularly Coptic Christians, by militant groups are an ongoing concern, especially in rural Upper Egypt. Unfortunately the violence last month in the normally peaceful coastal town of Alexandria resulted in the deaths of three Copts and injuries to dozens of others. According to numerous reports, Islamic extremists were responsible for instigating the violence. Egyptian authorities have said that a full-scale investigation is underway and should be made public after the final round of parliamentary elections concludes on December 1st.

Moreover, the Egyptian government does not provide adequate protection for Christians. For example, last year the Egyptian court system upheld the acquittal of 94 of 96 suspects who

were charged in connection with the killing of 21 Christians and one Muslim in the Upper Egypt village of Al-Kosheh in early 2000. This effectively ended efforts to bring to justice the perpetrators of these crimes despite widely reported police negligence during the investigation of the case. Impunity signals that perpetrators can get away with such violent acts. The government has a responsibility to do better - from investigations to judicial proceedings.

Material vilifying Jews and Baha'is appears regularly in the state-controlled and semi-official media. Human rights groups continue to report virulent anti-Semitism in the education system, which is increasingly under the influence of extremists. Such material has included Holocaust denial and anti-Semitic cartoons and television programming such as the 24-part series based on the notorious forgery, the "Protocols of the Elders of Zion." Although Egyptian government officials have said that there is no official policy condoning anti-Semitism or other forms of intolerance, acts of anti-Semitism are virtually unopposed by government leaders.

All Baha'i institutions and community activities are banned, and Al-Azhar's Islamic Research Center has issued *fatwas* condemning Baha'is as apostates. Baha'is cannot even obtain mandatory identity cards - which are required by law - because religious affiliation is required on the cards and the only choices are Islam, Christianity, or Judaism. The Egyptian government's computerization of the national ID card system reportedly goes into full effect by the end of this year. If Baha'is cannot obtain ID cards, they would be subject to arrest at anytime while in public and essentially be denied all rights of citizenship. From a recently dated official document obtained by the Commission, the Egyptian Ministry of Interior makes it clear that it not only does not allow the Baha'i faith to be accorded recognition on identity cards, but it also does not allow individual Baha'is to identify their religion as "other";

In addition, individuals who change their religion from Islam to Christianity fear government harassment if the conversion is registered. Reportedly, converts have altered their own identification cards and other official documents to reflect their new religious affiliation. However, if the altered ID cards are discovered by authorities, criminal charges can result.

In addition to these immediate concerns of the Commission, there are several other issues worth raising today.

Other Concerns

Role of the State Security Services

The Egyptian State Security Services oversee religious affairs in Egypt and restrict the religious activities of Muslims, Coptic Christians, and others. Interference, harassment, and surveillance by the State Security Services are significant problems for members of all religious groups. While the potential for violence is a valid matter of state security, removing the religion "portfolio" from the State Security Services and placing responsibility for religious affairs in a more transparent and politically accountable section of the government could result in a situation that establishes both effective preventative security measures and appropriate protection of human rights, in accordance with international standards. This would allow members of all religious groups in Egypt to conduct their day-to-day affairs without undue interference by the security services.

The role of the State Security Services in religious affairs predates the 1981 Emergency Law. Nevertheless, the implementation of that law - which was renewed for another three years in February 2003 - has further undermined the protection of human rights in Egypt. The security forces continue to mistreat and torture prisoners, arbitrarily arrest and detain persons, and hold detainees in prolonged pretrial detention. The National Council for Human Rights, formed by the Egyptian government last year, recently called for an end to the State of Emergency. The Commission encourages President Mubarak to make good on his Presidential campaign promise to reconsider and lift the State of Emergency.

Islam

In Egypt, religious practices that conflict with the state-favored interpretation of Sunni Islamic law are prohibited. The Egyptian government regulates and exerts some control over Islamic religious institutions and activities, control that, according to the government, is necessary to combat religious extremism and terrorism. The state appoints and pays the salaries of all Sunni Muslim imams, and all mosques must be licensed by the government. Sermons are monitored by the State Security Services.

Non-Conforming Muslims and Other Non-Muslim Religious Minorities

Discrimination against members of religious minorities in law, in practice, and in society needs

to be addressed immediately. Article 98(f) of the Egyptian Penal Code prohibits citizens from ridiculing or insulting the three so-called "heavenly" religions - Judaism, Christianity, or Islam - or inciting sectarian strife among them. While this law has not been used to prosecute acts of anti-Semitism or acts against Christianity, it has been used to punish those who openly disagree with the kind of Islam promoted by the state. Persons accused of practicing "unorthodox" Islamic religious beliefs that, in the state's view, conflict with Islamic law continue to be prosecuted in the state security courts. These include non-conforming Muslims who are charged with practicing beliefs deemed to deviate from Islamic law. Other minority Muslims such as the tiny Shi'a community also have faced increasing abuse and imprisonment in recent years.

Permits to build or repair churches languish under restrictive rules which apply only to non-Muslims. There are approximately just over 100 applications to build new churches that have been submitted for approval by President Mubarak without response. Most of those applications have not been responded to for at least 5 years or more. Although provincial governors now have the authority to approve applications for church repair, hundreds of such applications are languishing in the system. Even some permits that have been approved cannot be acted upon because of interference by the state security services, at both the local and national levels.

After several years of close surveillance, authorities reportedly have increased repressive measures in the last year against the small community of Jehovah's Witnesses, who are not recognized by the Egyptian government. Jehovah's Witnesses also have reported harassment and abuse by government authorities.

There also is a growing sense among human rights groups that Islamic extremism is advancing in Egypt, particularly with detrimental effects on the human rights of women and girls and influencing the public school curriculum.

Recommendations for U.S. Policy

The Egyptian government has recently taken some steps that its leaders assert will establish a more open political process, although the results of those efforts remain to be seen. Some experts considered the September Presidential elections a step forward while others felt that the political space for opposition was severely limited. The degree to which the Egyptian government is serious about opening the political process can, in part, be judged on what

happens between now and the conclusion of the parliamentary elections in early December.

At present, the Egyptian government has the opportunity to demonstrate its commitment to democratic reform by ensuring and protecting the human rights of everyone, as affirmed in the Universal Declaration of Human Rights. It could do so by taking action immediately in several areas related to freedom of thought, conscience, religion or belief.

The Commission has made several specific recommendations for U.S. policy. I would like to highlight just a few that could be acted on by the Egyptian government without further delay:

- shift *de facto* responsibility for religious affairs from the State Security Services with the exception of cases involving or advocating violence;
- repeal state of emergency laws;
- more actively investigate religious based violence against Egyptian citizens, particularly Coptic Christians, and prosecute perpetrators responsible for the violence;
- implement procedures which would ensure that all places of worship are subject to the same transparent, non-discriminatory, and efficient regulations regarding construction and maintenance;
- cease messages of hate and intolerance toward religious minorities in the media and education system;
- review textbooks and remove inflammatory or intolerant materials;
- take all appropriate steps to prevent and punish acts of anti-Semitism;
- ensure that every Egyptian is protected against discrimination on the national identity card by removing religious affiliation; and
- repeal a 1960 Presidential decree banning the Baha'i community from practicing their faith.

Furthermore, the U.S government should have the ability to directly fund civil society and human rights groups without vetting by the Egyptian government, including programs that extend beyond democracy and governance, such as educational programs.

Conclusion

Freedom of thought, conscience, and religion or belief is a universal human right and its vigorous protection for all Egyptians will be not only a yardstick of political reform, but an

essential component for any lasting democracy in Egypt.

I thank you for your attention.